

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

UNITED STATES OF AMERICA                    )  
  )  
vs.    )  
  )  
WILLIAM SCALES                                )

Case No. 4:02-CR-3

JUDGE R. ALLAN EDGAR

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on August 30, 2005, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant or Summons for an Offender Under Supervision of Supervising U.S. Probation Officer David T. Croft. Those present for the hearing included:

- (1) AUSA Gregg Sullivan for the USA.
- (2) The supervised releasee, WILLIAM SCALES.
- (3) Attorney Tony Martinez of Federal Defender Services of Eastern Tennessee for defendant.
- (4) Deputy Clerk Russell Eslinger.
- (5) Court reporter Shannan Andrews.

After being sworn in due form of law, the supervised releasee was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney Martinez of Federal Defender Services of Eastern Tennessee was appointed to represent the defendant. It was determined that defendant had been provided with and reviewed with counsel a copy of the Petition for a Warrant or Summons for an Offender Under Supervision. It was also determined the defendant was capable of being able to read and understand the documents he had been provided.

Defendant waived his right to a preliminary hearing and detention hearing.

AUSA Sullivan moved the defendant be detained without bail pending his revocation hearing before U.S. District Judge R. Allan Edgar.

Findings

Based upon the petition and defendant's waiver of preliminary hearing, the undersigned finds there is probable cause to believe the defendant has committed

violations of his conditions of supervised release as alleged in the petition.

Conclusions

It is ORDERED:

(1) The supervised releasee shall appear for a revocation hearing before U.S. District Judge R. Allan Edgar.

(2) The motion of AUSA Sullivan that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Edgar is GRANTED.

(3) The U.S. Marshal shall transport defendant to a revocation hearing before Judge Edgar on Wednesday, September 7, 2005 at 11:00 a.m.

ENTER.

*s/ Susan K. Lee*

SUSAN K. LEE

UNITED STATES MAGISTRATE JUDGE